

Remarks/Arguments:

Claims 1-8, 10, 11, 13-16, 19, 22, 23 and 26-32 are presently pending. All pending claims stand rejected. Applicant herein amends claims 1, 13, and 19. Support for the claim amendments can be found throughout the application as originally filed. For example, see page 25, line 12 to page 26, line 2; page 53, lines 15-18; and page 55, lines 19-28. No new matter is added. Reconsideration is respectfully requested in view of the following remarks.

Claim Rejections Under 35 U.S.C. § 103

In section 3, the Office Action sets forth "Claims 1-8, 10, 11, 13-16, 19, 22, 23, and 26-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Witkowski (US 7,257,426) in view of Treyz (US 6,526,335) and further in view of Treyz (US 6,587,835). Applicants respectfully traverse this rejection. Although not conceding the rejection, Applicant herein amends claims 1, 13, and 19 in order to advance prosecution.

Applicant respectfully submits that Witkowski in view of Treyz '335 and Treyz '835 fails to disclose each feature of independent claim 1. Independent claim 1, as amended, is directed to a network system for effectuating data communication between a vehicle and a data processing resource, including:

a store display adapted to physically hold a plurality of products for sale to and physically accessible by a customer, said store display equipped with a communication interface device having...

a communication interface [for] communicating...vehicle related information from said in-vehicle monitoring unit...to said data processing resource...

a presentation device for presenting information to the customer,

wherein the data processing resource generates selection information for aiding the customer in selecting at least one of the plurality of products for sale physically held by the store display, the selection information dependent on the vehicle related information from the in-vehicle monitoring unit,

the data processing resource communicates the selection information to the store display, and

the presentation device presents the selection information to the customer in order to aid the customer in selecting the at least one of the products for sale physically held by the store display.

This means that the store display physically holds a plurality of products. The store display is equipped with a communication interface device having a communication interface. The communication interface communicates vehicle related information to a data processing resource. The data processing resource generates selection information for aiding a customer in selecting at least one of the products held by the store display. The selection information is dependent on the vehicle related information. The data processing resource communicates the selection information to the store display. The store display is also equipped with a presentation device. The presentation device presents the selection information to the customer in order to aid a customer in selecting at least one product for sale physically held by the store display.

Section 3 of the Office Action recites that "Witkowski teaches...the data processing resource communicates selection information to the store display for selecting at least one of the products for sale responsive to the vehicle related information (see... "menu information is downloaded to vehicle display system";... "warranty and part information are accessed through the manufacturer website"). Applicant respectfully disagrees.

Witkowski is directed to wireless communications systems. Witkowski discloses a wireless communications system 10 for implementing a retail transaction with a drive-through menu board 46. Witkowski discloses that menu board 46 has a first transceiver 10a, and a vehicle 14 includes the second transceiver 10b. When the vehicle 14 approached the menu board 46, the transceivers 10a and 10b establish a communications link, and menu information is automatically downloaded to vehicle 14 for performing a transaction. See Witkowski at column 9, line 59 to column 10, line 15. Witkowski fails to disclose that the menu information aids a customer in selecting a product that is physically held by the menu board 46. Thus, this embodiment of Witkowski fails to disclose generating selection information dependent on vehicle information, communicating the selection information to a store display, and presenting the selection information to the customer in order to aid the customer in selecting a product for sale physically held by the store display.

Additionally, Witkowski discloses an alternate wireless communication system 10. In this wireless communication system, a first transceiver 10a is placed in a vehicle, and a second transceiver is placed remotely, e.g., in a vehicle dealership or garage. When the vehicle approaches the remote location, the transceivers 10a and 10b establish a communications link, and warranty information for the vehicle is downloaded to the remote location. See Witkowski at column 12, line 39 to column 13, line 4. Witkowski fails to disclose generating selection information for aiding a customer in selecting a product dependent on this warranty information. Thus, this embodiment of Witkowski also fails to disclose generating selection information dependent on vehicle information, communicating the selection information to a store display, and presenting the selection information to the customer in order to aid the customer in selecting a product for sale physically held by the store display.

Therefore, Witkowski fails to disclose, teach, or suggest "the data processing resource generates selection information for aiding the customer in selecting at least one of the plurality of products for sale physically held by the store display, the selection information dependent on the vehicle related information from the in-vehicle monitoring unit, the data processing resource communicates the selection information to the store display, and the presentation device presents the selection information to the customer in order to aid the customer in selecting the at least one of the products for sale physically held by the store display," as recited by claim 1. Applicant respectfully submits that Treyz '335 and Treyz '835 fail to make up for the above-described deficiencies of Witkowski with respect to claim 1.

Treyz '335 is directed to automobile personal computer systems. Treyz '335 discloses an automobile personal computer that may be used to provide diagnostic information about a vehicle to a dealer or other service provider. See Treyz '335 at column 81, line 66 to column 82, line 9. However, Treyz '335 fails to disclose generating selection information for aiding a customer in selecting a product for sale dependent on the diagnostic information provided by the automobile personal computer system. Thus, Treyz '335 fails to disclose a data processing resource that "generates selection information for aiding the customer in selecting at least one of the plurality of products for sale physically held by the store display, the selection information dependent on the vehicle related information from the in-vehicle monitoring unit," as recited in claim 1.

Treyz '835 is directed to a handheld computer device. Treyz '835 discloses a handheld computing device that may be used in an automobile for financial transactions. See Treyz '835 at column 4, lines 1-5. However, Treyz '835 fails to disclose that the handheld computing

device provides any vehicle related information to a data processing resource. Thus, Treyz '835 must also fail to disclose generating selection information for aiding a customer in selecting a product for sale dependent on vehicle related information. Thus, Treyz '835 fails to disclose a data processing resource that "generates selection information for aiding the customer in selecting at least one of the plurality of products for sale physically held by the store display, the selection information dependent on the vehicle related information from the in-vehicle monitoring unit," as recited in claim 1.

Accordingly, Applicant submits that Witkowski in view of Treyz '335 and Treyz '835 fails to disclose, teach, or suggest "the data processing resource generates selection information for aiding the customer in selecting at least one of the plurality of products for sale physically held by the store display, the selection information dependent on the vehicle related information from the in-vehicle monitoring unit, the data processing resource communicates the selection information to the store display, and the presentation device presents the selection information to the customer in order to aid the customer in selecting the at least one of the products for sale physically held by the store display," as recited by claim 1. Therefore, Applicant respectfully requests that the rejection to claim 1 be withdrawn.

Independent claims 13 and 19, while not identical to claim 1, include features similar to the allowable features discussed above with respect to claim 1. Therefore, Applicant respectfully requests that the rejection of claims 13 and 19 be withdrawn.

Claims 2-8, 10, 11, 14-16, 22, 23, and 26-32 each depend, either directly or indirectly, from one of claims 1, 13, and 19. Accordingly, claims 2-8, 10, 11, 14-16, 22, 23, and 26-32 include at least the allowable features discussed above with respect to claims 1, 13, and 19. Therefore, Applicant respectfully requests that the rejection of claims 2-8, 10, 11, 14-16, 22, 23, and 26-32 be withdrawn.

Conclusion

In view of the above amendments and remarks, Applicants respectfully submit that the application is in condition for allowance. Such notification is respectfully requested.

Respectfully submitted,



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